

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: DOMESTIC DRYWALL
ANTITRUST LITIGATION**

**MDL No. 2437
13-MD-2437**

**THIS DOCUMENT RELATES TO:
ALL INDIRECT PURCHASER ACTIONS**

**ORDER RE IPP SETTLEMENT CLASS COUNSEL'S REQUEST TO UTILIZE
SETTLEMENT FUNDS FOR ONGOING LITIGATION EXPENSES**

AND NOW, this 20th day of August, 2015, this Court having granted final approval of the Indirect Purchaser Plaintiff's (IPP's) settlements with TIN and USG, by separate orders dated today; having held a fairness hearing on July 15, 2015; having considered all the submissions and arguments with respect thereto; and for the reasons stated in the accompanying memorandum; it is hereby **ORDERED** that IPP Settlement Class Counsel's request to utilize up to \$2.5 million of the TIN and USG settlement funds to pay Plaintiff's litigation expenses is **GRANTED IN PART** and **DENIED IN PART**, without prejudice, as follows:

1. Counsel are authorized to use \$416,661.70 of the settlement funds to pay expert costs that have been incurred but not yet paid;
2. These authorized expenses shall be paid proportionally from the settlement funds provided by TIN and USG, such that approximately 4% of the funds from each Defendant's settlement will be used for litigation expenses at this time;
3. At this time, Counsel are not authorized to use the settlement funds to defray or reimburse any other litigation expenses;

4. After the Court rules on the pending summary judgment motions, and if this case then proceeds against one or more remaining Defendants, Counsel may reapply for permission to use more of the settlement funds for litigation expenses.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.

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